

ENVIRONMENTAL PROTECTION COMMISSION
REGULAR MEETING/PUBLIC HEARING
MINUTES
May 7, 2008

7:30 P.M.
Room 206 Town Hall

Chairman Hillman called the meeting to order at 7:30 P.M. Commission Members Present: Peter Hillman, Craig Flaherty, Ellen Kirby, Susan Cameron and Michael Tone.

Staff Present: Richard Jacobson

Court Reporter: Bonnie Syat

Mr. Hillman read the first agenda item:

EPC-06-2008, Kevin Kovtun, 12 Silver Lakes Drive, proposing a brick patio and landscaping within the upland review area.

No one was present for the applicant.

Mr. Hillman read the next agenda item:

EPC-17-2008, Karen F. and Michael D. Gregorich, 41 Buttonwood Lane, proposing house additions and related construction within an upland review area.

Rob Frangione, P.E., Sean O’Kane, Architect and Kate Throckmorton, Landscape Architect represented the applicant.

Mr. O’Kane said they have provided a rain garden plan, a drainage report and test hole data from the proposed infiltrator area and rain garden areas and an arborist’s report.

Mr. Frangione said that the perc rate in the infiltrator area is good: 1 inch in 20 minutes. He said the perc test in the rain garden was in fill with gravel underneath. He said the rain garden would drain in 3-4 hours. Mr. Hillman asked him if there would be any impact downstream. Mr. Frangione said there would be no impact in his opinion.

Ms. Cameron asked him about the life of the Cul-tech units. Mr. Frangione said at least 50 years. Ms. Cameron asked if they could provide a maintenance plan. Mr. Frangione said they would provide one.

Mr. Flaherty asked them to incorporate a pre-treatment unit with a bypass and filter fabric. He asked that the fill in the rain garden area be removed to the sub-grade per the design engineer.

Ms. Kirby asked about the rain garden. Mr. O’Kane said it would be moved outside the regulated area.

Ms. Cameron made a motion to approve the application with stipulations. Mr. Flaherty seconded the motion and it passed 4-0. Mr. Tone abstained.

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Mr. Hillman called the items that appeared would require public hearings. He read the next agenda item:

EPC-21-2008, James Hines (on behalf of Archibald Russell), 10 Libby Lane, proposing house demolition and construction of a new house within an upland review area.

Jim Hines, Builder represented the applicant.

It was the consensus of the Commission to hold a public hearing because it would be in the public interest and because of flooding concerns downstream on Holly Lane. The hearing was scheduled for June 4, 2008.

The Commission requested additional information including an engineering report and calculations, test hole data from the infiltrator and new basement area, an alternate discharge location for the storm water, a mitigation plantings and enhancement plan, and information on the sump pump discharge volumes.

Mr. Hillman read the next agenda item:

EPC-24-2008, William and Rose-Marie Shanahan, 58 Sunswyck Road, proposing driveway construction within a regulated area.

Attorney Wilder Gleason represented the applicant. He said there was a previous subdivision approval for the property. He described the proposed driveway location.

It was the consensus of the Commission that there is a potential for significant impact and a public hearing would be required. The Commission scheduled the hearing for June 4, 2008.

Mr. Gleason said Don Ferlow would be available to answer any questions.

Mr. Hillman read the next agenda item:

EPC-25-2008, Patrick and Jennifer Robinson, 88 Nearwater Lane, proposing house demolition and new house construction within an upland review area.

Attorney Wilder Gleason represented the applicant.

It was the consensus of the Commission that there is a potential for significant impact and a public hearing would be required. The Commission scheduled the hearing for June 4, 2008.

Mr. Gleason said they would reconsider the pool location and look at the condition of an oak tree. The Commission also asked them to reconsider the size of the pool and the spa location, and consider a low chlorine system. They will also look at plantings between the pool and the wetland.

Mr. Hillman read the next agenda item:

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EPC-26, 2008, Darien YMCA, 2420 Boston Post Road, proposing a building addition within an upland review area.

Attorney Robert Maslan represented the applicant.

Mr. Flaherty said he was leaning toward a public hearing on the application.

Mr. Maslan said there are no regulated activities because Holly pond is a tidal water body and the CAM statutes would superseded the wetland statutes. Mr. Flaherty said the EPC has acted consistently to regulate activities within 100 feet of Holly Pond. The Commission decided to request an opinion from Town Counsel.

The Commission determined that a public hearing would be in the public interest and scheduled the hearing for June 4, 2008.

Mr. Hillman read the next agenda item:

EPC-20-2008, Dennis Cummings, 9 Morley Lane, proposing a portion of a septic system and related grading within an upland review area.

John Martucci, P.E. represented the applicant. He said the only activity is a portion of a septic system within 150 feet of a pond on the adjoining property.

Mr. Hillman asked why the system is proposed within a regulated area. Mr. Martucci said it was the only area where the soils were suitable.

Ms. Cameron asked about the impact on other properties' wells. Mr. Martucci said there was sufficient separation distance as required by the health code.

Mr. Hillman asked that they remove the yard waste and a hollow Norway maple and provide plantings. Mr. Martucci said they would.

Mr. Hillman made a motion to approve the application with stipulations. Mr. Flaherty seconded the motion and it passed unanimously.

Mr. Hillman read the next agenda item:

EPC-22-2008, Megan Pryor, 97 Leeuwarden Road, proposing fence construction within an upland review area.

Cory Walton, Landscape Architect represented the applicant. He said they are proposing a new fence and mitigation plantings within 50 feet of a wetland on an adjacent property.

Mr. Jacobson said the portion of silt fence protecting just the fence construction would not be needed.

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Mr. Flaherty made a motion to approve the application. Ms. Cameron seconded the motion and it passed unanimously.

Mr. Hillman read the next agenda item:

EPC-23-2008, Barbara and John Trainer, 12 Point O'Woods Road South, proposing house additions and deck within an upland review area.

Mrs. Trainer represented herself. She said they are proposing two small additions.

Mr. Hillman asked what the nearest distance to the wetland would be. John Martucci, P.E. said 14 feet. They are proposing Cul-tech units for the roof runoff.

The Commission discussed the addition of a small rain garden and plantings.

Mr. Hillman made a motion to approve the application with stipulations including the addition of plantings. Mr. Flaherty seconded the motion and it passed unanimously.

Mr. Hillman read the first public hearing item.

EPC-16-2008, Mark Alex Maidique, 00 Raymond Street, proposing house and shed demolition, and grading activity related to two new residences, within an upland review area.

The hearing was opened and continued to June 4, 2008

Mr. Hillman read the next two first public hearing items.

EPC-18-2008, Mitchell and Kerry Ross, 10 Nickerson Lane (Lot 10), proposing an amendment to the Inland Wetlands and Watercourses Map, house demolition, and re-grading within 100 feet of Holly Pond.

EPC-19-2008, Mitchell and Kerry Ross, 10 Nickerson Lane (Lot 11), proposing an amendment to the Inland Wetlands and Watercourses Map, house demolition, and new house construction within 100 feet of Holly Pond.

These two items were opened and continued to May 21.

Mr. Hillman read the next public hearing item.

EPC-10-2008, Gloria Gouveia, 25 Brookside Road, proposing a revision to an approved two lot subdivision to construct one new house within the upland review area.

Gloria Gouveia represented the applicant. She said that they have provided additional information since the last public hearing.

Larry Edwards, P.E. said they provided additional detention under the slab. He said they increase flood storage by almost 50%. He described the revised drainage plan.

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Ms. Gouveia said they will provide a DVD of the modular home construction showing the environmental benefits.

Ms. Cameron asked if they were preserving the large Dogwood on site. Ms. Gouveia said yes.

Mr. Tone asked if the access for the crane would be in the upland review area. Ms. Gouveia said no. She said a construction plan would be provided by the modular company.

The Commission continued the public hearing to May 21, 2008.

Mr. Hillman read the next public hearing item.

EPC-16-2007, 5 Holly Lane Associates (formerly Patrick Goulding and Anna Zaranski), proposing an amendment to the drainage plan and a sump pump discharge to a regulated area.

Attorney Robert Maslan represented the applicant. He said they were addressing a post approval issue. He said Mr. Sciaretta was told verbally by DPW that they would prefer to avoid a direct tie in to the Town Drain. He said they experienced water surfacing and dug the trench toward the wetland in January.

Mr. Hillman asked who owned the property.

EPC-13-2008, Alex Kaali-Nagy, 129 Five Mile River Road, demolition of existing house, new house construction, and swimming pool construction, within an upland review area.

EPC-14-2008, Foster Kaali-Nagy, 125 Five Mile River Road, proposing new house construction and swimming pool construction within an upland review area.

EPC-15-2008, Steven and Barbara Kiskin, 12 Brown Street, proposing demolition of existing house and new house construction within an upland review area.

Ms. Cameron made a motion to adjourn. Mr. Flaherty seconded the motion and it passed unanimously. The meeting was adjourned at 11:05 p.m.

Respectfully submitted,

Richard B. Jacobson
Environmental Protection Officer